

## **REMARKS/ARGUMENTS**

The applicant acknowledges, with thanks, the Office Action dated May 14, 2009, and completion of the personal interview of June 24, 2009. The Examiner's observations and suggestions are much appreciated and summarized herein. The Examiner's acceptance of the drawings filed on September 30, 2003, is noted with appreciation.

Each of independent claims 1, 8, 15, and 22 has been amended herein, together with selected dependent claims. Claims 2, 8, 16, and 23 were previously canceled and no new claims have been added. Accordingly, claims 1, 3-8, 10-15, 17-22, and 24-28 are currently pending.

Reconsideration of the application as amended is respectfully requested.

### **The Office Action**

Claims 1, 3-8, 10-15, 17-22, and 24-28 were rejected in the Office Action of May 14, 2009 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent Publication No. 2002/0147668 to Smith et al. (*hereinafter*, "Smith"), and in view of U.S. Patent No. 6,216,113 to Aikens, and in further view of EP Patent Publication No. 0478347 to Bennett et al. (*hereinafter*, "Bennett").

In view of the amendments and arguments set forth below, it is submitted that all pending claims are patentably distinct over the art of record.

### **The Amended Claims are in Condition for Allowance**

As discussed during the Interview, Smith is directed to a system that collects and aggregates or stores all of the information that is available to be collected. This is extremely wasteful if the accounting protocol doesn't need a report of all of the information. In addition, in Smith, the user must request or otherwise poll the system for portions of the collected data. Thus, the system of Smith doesn't automatically filter the available information and push the filtered and collected information out to the user as in the present application.

As described in paragraph [0013] of Smith, the preferred embodiments of the system taught there allow a user to retrieve real-time financial transaction information from a financial institution, thereby providing accurate, up-to-the-minute information with respect to payments authorized, checks cleared, and deposits made.

Accordingly, in Smith, the financial institution must collect all information available for storage and possible retrieval by the user. Also, the user must poll the financial institution for the information each time the information is desired.

In the present application, however, "the accounting agent only collects the usage data as specified by any filters or restrictions specified by the accounting administrator" as set out in paragraph [0022] of the application as published. Amendment has been made to each of independent claims 1, 8, 15 and 22 to further clarify this feature. Thus, in the amended claims, although many forms of data may be available for collection such as copier usage data, print usage data, facsimile usage data, and scanning usage data, the only data collected is the set of data as specified by the restriction data.

In addition, in the present application, delivery of the collected filtered information is automatic and as such is executed periodically without user intervention. The collected filtered data is pushed out to the users. As described in the Abstract, a configurable accounting agent is adapted to automatically generate usage reports of the document generating device and transmit the reports to one or more destinations. Paragraphs [0001], [0007], [0009], and [0015] describe the automatic periodic outputting of the collected usage data for transmission of reports thereof to one or more destinations. Also, Figure 2 and paragraphs [0019], [0022], and [0023] describe a method whereby a transfer agent (Fig. 1, 112) automatically transfers the collected usage data to the specified one or more destinations as previously set by the associated accounting administrator. Essentially, the associated accounting administrator sets filter and reporting period parameters, and the system automatically filters and collects the filtered data, and automatically generates and transmits reports relating to the collected filtered data without input from the accounting administrator.

Amendment has been made to each of independent claims 1, 8, 15 and 22 to further clarify this feature as well. In the amended claims, reporting means automatically periodically output, via the data network, usage data to the associated accounting administrator in accordance with the report period data and the time data and without input from the associated accounting administrator so as to include a timed output of the accumulated usage data acquired during the preselected reporting period interval.

Thus, as clarified, all claims include limitations not taught by Smith, and which limitations advantageously teach administrative control over reporting intervals and timing which does not require a poll of devices for information, placing the reporting timing and duration as the responsibility of each device in accordance with preset timing. In addition, an administrator has an ability to set parameters for filtering the available data before it is collected.

The deficiencies in the teachings of Smith relative to the amended claims are not remedied by any additional teachings of Aikens, which is cited relative to teaching particular information that is reported from the auditron that forms the subject thereof.

In accordance with the afore-noted amendments and comments, it is submitted that all claims are patentably distinct over the art, and in condition for allowance thereover. An early allowance of all claims is respectfully requested.

If there are any fees necessitated by the foregoing communication, the Commissioner is hereby authorized to charge such fees to our Deposit Account No. 50-0902, referencing our Docket No. 66329/31337.

Date: \_\_\_\_\_

7/16/09

Respectfully submitted,



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